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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,502	12/01/2003	Taihe Zhou	03WI0006US	1005

30781 7590 01/04/2005

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EXAMINER

REESE, DAVID C

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/724,502	Applicant(s) ZHOU ET AL.	
	Examiner David C. Reese	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

[1] Claims 1-18 are pending.

Specification

[2] The disclosure is objected to because of the following informalities:

The abstract should remain free of technical terms such as "wherein", as the abstract should surmise the pertinent aspects of the invention while avoiding the use of claim terminology.

Appropriate correction is required.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

[3] Claim 1 is objected to because of the following informalities:

The first claim appears to center around a method claim rather than attempting to claim the structure of the claimed invention. "...which is made by..." is not valid for structural claim terminology and is primarily used for method claim statements.

However, since the claim does not specifically state that it is a method, the examiner to the best of his ability has rendered examining the structural limitations of the first claim as best as possible.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

[4] The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[5] Claims 1-3, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boulton, US 1,454,013 in view of Ooide US-US 2003/0154742.

Boulton teaches of a chaplet.

However, Boulton fails to disclose expressly that the ends of the chain are joined by means of buttons fixed at both ends of the string or cord.

Ooide teaches of a jewel and personal ornament that comprises a chain that is joined by means of buttons fixed at both ends of the string or cord.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify the chaplet as taught by Ooide, to incorporate another design choice of separate buttons as taught by Ooide, in order to create a more stable and concrete hold for adjoining two ends of the chaplet together.

Now as for Claim 1, Boulton teaches of a chaplet that comprises:

beads of a specific shape onto a string or cord to form a chain (beads on the string between 8 and 9 in Fig. 1 of Boulton) and then joining the ends of the chain by means of buttons fixed at both ends of the string or cord (Boulton in view of Ooide, substituting the two button halves, 100 and 200 as shown in Fig. 31 of Ooide for the center spacer 4 in Fig. 1 of Boulton), wherein spacers are inserted between the beads of said bead chain to form an alternating pattern (the spacers 9 between beads in set of 10 producing an alternating pattern of 10 beads, spacer, then 10 more beads in Fig. 1 of Boulton).

As for Claim 2, Re: Claim 1, Boulton teaches of a chaplet wherein the outer surfaces of said spacers are engraved with characters (spacer 6 with characters engraved as shown in Fig. 2 of Boulton).

As for Claim 3, Re: Claim 1, Boulton teaches of a chaplet wherein said characters engraved on the outer surfaces of the spacers are lections (spacer 6 with characters resembling lections as shown in Fig. 2 of Boulton).

As for Claim 5, Re: Claim 1, Boulton teaches of a chaplet wherein the said buttons at both ends of said bead chain are two separate half objects, whose outer surfaces are engraved with lections (Boulton in view of Ooide, substituting the two button halves, 100 and 200 as shown in Fig. 31 of Ooide for the center spacer 4 in Fig. 1 of Boulton, but keeping the characters/lections as represented in 4 of Boulton).

As for Claim 6, Re: Claim 5, Boulton teaches of a chaplet wherein the said buttons form a spherical or cylindrical shape after being joined (100 and 200 as shown in Fig. 34 of Ooide).

As for Claim 7, Re: Claim 2, Boulton teaches of a chaplet wherein said characters engraved on the outer surfaces of the spacers are lections (spacer 6 with characters resembling lections as shown in Fig. 2 of Boulton).

[6] Claims 9-11, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boulton, US 1,454,013, in view of Ooide US-US 2003/0154742, and in further view of Killion, US 751,518.

Boulton in view of Ooide teach of claims 1-3, and 5-7.

However, they fails to disclose expressly that both the beads and spacers are provided having a drilled though hole.

Killion teaches of a stock or material of an ornamental character comprising of both spacers and beads that are connected via cord or wires passed through said openings in both the beads and spacers.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify the entity as taught by Boulton in view of Ooide, to incorporate a design choice that joins the beads and spacers via wire or cords through holes of such beads and spacers as taught by Killion, in order to create a more substantial and uniform connection for the entire chain, since all the beads and spacers will be connected to one medium instead of separate ones between beads and spacers.

Thus, as for Claim 9, Boulton teaches of a chaplet comprising:

a plurality of beads, each bead having a drill through hole (drilled hole as shown 37 in Fig. 1 of Killian substituted into the bead and spacer configuration of Boulton);

a plurality of spacers, each spacer having a drilled through hole (drilled hole as shown 37 in Fig. 1 of Killian substituted into the bead and spacer configuration of Boulton);

a cord, said cord being threaded through said through holes of said beads and spacers to form a chain (drilled hole as shown 37 in Fig. 1 of Killian substituted into the bead and spacer configuration of Boulton), said beads and spacers being positioned in alternating pattern (the spacers 9 between beads in set of 10 producing an alternating pattern of 10 beads, spacer, then 10 more beads in Fig. 1 of Boulton);

a first connector at first end of said chain (Boulton in view of Ooide, substituting the two button halves, 100 and 200 as shown in Fig. 31 of Ooide for the center spacer 4 in Fig. 1 of Boulton) ;

a second connector at second end of said chain (Boulton in view of Ooide, substituting the two button halves, 100 and 200 as shown in Fig. 31 of Ooide for the center spacer 4 in Fig. 1 of Boulton).

As for Claim 10, Re: Claim 9, Boulton teaches of a chaplet wherein the outer surfaces of said spacers are engraved with characters (spacer 6 with characters engraved as shown in Fig. 2 of Boulton).

As for Claim 11, Re: Claim 9, Boulton teaches of a chaplet wherein said characters engraved on the outer surfaces of the spacers are lections (spacer 6 with characters resembling lections as shown in Fig. 2 of Boulton).

As for Claim 13, Re: Claim 9, Boulton teaches of a chaplet wherein said connectors at both ends of said beach chain are two mating objects (Fig. 29-30 of Killian), whose outer surfaces are engraved with lections (Boulton in view of Ooide, substituting the two button halves, 100 and 200 as shown in Fig. 31 of Ooide for the center spacer 4 in Fig. 1 of Boulton, but keeping the characters/lections as represented in 4 of Boulton).

As for Claim 14, Re: Claim 13, Boulton teaches of a chaplet wherein the said buttons form a spherical or cylindrical shape after being joined (100 and 200 as shown in Fig. 34 of Ooide).

As for Claim 15, Re: Claim 10, Boulton teaches of a chaplet wherein said characters engraved on the outer surfaces of the spacers are lections (spacer 6 with characters resembling lections as shown in Fig. 2 of Boulton).

As for Claim 17, Re: Claim 10, Boulton teaches of a chaplet wherein said spacers are smaller in diameter than said beads (a common design choice, and possible alternative/embodiment to enact with Boulton in view of Ooide's structure as shown by the spacer 36 having a smaller diameter than the bead 21 in Fig. 1 of Killion).

Allowable Subject Matter

[7] Claim 4, 8, 12, 16, and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As for Claim 4, 8, 12, 16, and 18 the prior art does not teach of a bead chain that comprises a number of spacers corresponding to the number of words in a paragraph of lection, and that these spacers have a Chinese characters of lections.

Conclusion

[8] The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited further to show the state of the art with respect to this particular type of chain; as well as their extreme relevance to the current application: Hall, 2,681,545; Illes, 2,769,249; Dunlap, D399,448; Richards, 1,375,176; Costello, 1,661,877; Hume, 2,540,369; Schoening, Jr., D413,421


[9] Any inquiry concerning this communication or earlier communications from the examiner should be directed to David C. Reese whose telephone number is 703-305-4805. The examiner can normally be reached on 7:30 am - 5:00 pm M-Th, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,
David Reese
Examiner
Art Unit 3677


Primary JACK LAVINDER
~~SUPERVISOR~~ PATENT EXAMINER
TECHNOLOGY CENTER